

Message

From: Moutoux, Nicole [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=574B3A85014D46D3965B59700A04A55E-NMOUTOUX]
Sent: 4/20/2017 9:03:37 PM
To: Johnson, Kathleen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d36de0cd8ee14ff6a6aa2f1df9b159f6-KJOHNS05]
Subject: Re: for your eyes only

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Nicole G. Moutoux
415-271-0701

On Apr 20, 2017, at 1:04 PM, Johnson, Kathleen <Johnson.Kathleen@epa.gov> wrote:

I have shared with Alexis but no one else. I don't know what he is referring to below – was Kathy on a call with CEQ yesterday?

Kathleen H. Johnson
Director, Enforcement Division
U.S. EPA - Region 9
75 Hawthorne Street ENF-1
San Francisco, CA 94015
415/972-3873
johnson.kathleen@epa.gov

From: Tomiak, Robert
Sent: Thursday, April 20, 2017 10:15 AM
To: Johnson, Kathleen <Johnson.Kathleen@epa.gov>
Subject: RE: R9 weekly report

Kathleen,

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out as additional data points for consideration.

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Thanks, Rob

From: Johnson, Kathleen
Sent: Wednesday, April 19, 2017 9:02 PM
To: Tomiak, Robert <tomiak.robert@epa.gov>

Cc: Moutoux, Nicole <Moutoux.Nicole@epa.gov>; Knight, Kelly <knight.kelly@epa.gov>; Marshall, Tom <marshall.tom@epa.gov>; Brush, Jason <Brush.Jason@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Goodin, John <Goodin.John@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Goforth, Kathleen <Goforth.Kathleen@epa.gov>
Subject: RE: R9 weekly report

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Kathleen H. Johnson
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johnson.kathleen@epa.gov

From: Tomiak, Robert

Sent: Wednesday, April 19, 2017 3:30 PM

To: Johnson, Kathleen <Johnson.Kathleen@epa.gov>

Cc: Moutoux, Nicole <Moutoux.Nicole@epa.gov>; Knight, Kelly <knight.kelly@epa.gov>; Marshall, Tom <marshall.tom@epa.gov>; Brush, Jason <Brush.Jason@epa.gov>; Eisenberg, Mindy

<Eisenberg.Mindy@epa.gov>; Goodin, John <Goodin.John@epa.gov>

Subject: Re: R9 weekly report

If referral, we need a draft letter by COB tomorrow to start staffing/vetting here.

Rob

On Apr 19, 2017, at 6:13 PM, Tomiak, Robert <tomiak.robert@epa.gov> wrote:

Including Mindy and John from OW. If you are leaning toward referral, we can't wait until next week. I suggest a coordination call with us and OW soonest to lay out your thoughts and options.

Thanks, Rob

On Apr 19, 2017, at 5:38 PM, Johnson, Kathleen <Johnson.Kathleen@epa.gov> wrote:

Jason reports that the groundwater technical meeting yesterday was a rehash of existing information. Nothing new was presented. We will be updating our RA on Friday. We will try to set up a briefing for you on this early next week and would be happy to have anyone from OW also participate.

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From: Tomiak, Robert

Sent: Wednesday, April 19, 2017 6:51 AM

To: Johnson, Kathleen <Johnson.Kathleen@epa.gov>

Cc: Moutoux, Nicole <Moutoux.Nicole@epa.gov>; Knight, Kelly <knight.kelly@epa.gov>; Marshall, Tom <marshall.tom@epa.gov>

Subject: RE: R9 weekly report

Kathleen,

We need an update please. I have conferred with our OW counterparts, and can share that outcome as well. Let's set up a coordination call/brief for this afternoon, or tomorrow morning your time.

Thanks, Rob

From: Johnson, Kathleen
Sent: Monday, April 17, 2017 1:05 PM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>; Tomiak, Robert <tomiak.robert@epa.gov>
Cc: Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Cozad, David <Cozad.David@epa.gov>; Moutoux, Nicole <Moutoux.Nicole@epa.gov>
Subject: RE: R9 weekly report

Also, FYI, we do not believe that the Army Corp is necessarily moving toward granting the permit. That is yet to be seen. Also, please note that the sufficiency of the mitigation proposed has been the central issue we have been discussing on this matter for over three years.

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johnson.kathleen@epa.gov

From: Strauss, Alexis
Sent: Monday, April 17, 2017 9:56 AM
To: Tomiak, Robert <tomiak.robert@epa.gov>; Johnson, Kathleen <Johnson.Kathleen@epa.gov>
Cc: Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Cozad, David <Cozad.David@epa.gov>
Subject: RE: R9 weekly report

I suggest involving the Water programs (Tomas Torres, Jason Brush) after this week's Rosemont meeting, when new info is available. I don't need to be part of that update.

Alexis Strauss
Acting Regional Administrator
E.P.A. Region 9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3572

From: Tomiak, Robert
Sent: Monday, April 17, 2017 9:52 AM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>; Johnson, Kathleen <Johnson.Kathleen@epa.gov>
Cc: Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Cozad, David <Cozad.David@epa.gov>
Subject: RE: R9 weekly report

Alexis/Kathleen,

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Thanks, Rob

From: Strauss, Alexis
Sent: Monday, April 17, 2017 12:06 PM
To: Johnson, Kathleen <Johnson.Kathleen@epa.gov>; Tomiak, Robert <tomiak.robert@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>
Subject: R9 weekly report

From: Strauss, Alexis
Sent: Thursday, April 13, 2017 5:08 PM
To: Weekly Report Group <Weekly_Report_Group@epa.gov>
Cc: Nishida, Jane <Nishida.Jane@epa.gov>; Shapiro, Mike <Shapiro.Mike@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>
Subject: R9 weekly report

HOT ISSUES

1. <!--[if !supportLists]--><!--[endif]-->**SAN DIEGO / TIJUANA**

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2. <!--[if !supportLists]--><!--[endif]-->**ROSEMONT (AZ) COPPER MINE: (FYI)** next Tuesday, April 18 in Phoenix, EPA will join the US Forest Service and the Corps of Engineers to discuss water quality and other issues related to the proposed Rosemont copper mine, which we have reviewed under NEPA and CWA. The Forest Service will issue its Record of Decision in May, the Corps its CWA 404 decision some time thereafter. CEQ has been coordinating the multi-agency engagement. I attach a one-page briefing paper and will update Ken W, OW and OECA when EPA decision time nears.

KEY DECISIONS/ACTIONS: (FYI, no Administrator action sought)

1. <!--[if !supportLists]--><!--[endif]--> **AQUIFER EXEMPTION**
(SDWA LUG) KERN COUNTY, CA: next week will approve the

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2. <!--[if !supportLists]--><!--[endif]--> **APPROVE ARIZONA**

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3. <!--[if !supportLists]--><!--[endif]--> **COACHELLA OZONE:**

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HIGHLIGHTS OF THE PAST WEEK

1. <!--[if !supportLists]--><!--[endif]--> **PBF REFINERY (CAA 112r):** following our issuance of our CAA 112 r Notice of Findings, we met this week with the company. PBF has taken ownership of many of our findings and made changes. There were a few instances in which they thought we just needed more information to be assured of their compliance. In other areas, they acknowledged a gap or deficit in their program and were in the process of identifying ways to fix them. The principal area of disagreement relates to the required analysis of a worst-case scenario, and the accompanying “offsite consequences analysis” of a potential hydrofluoric (HF) acid release. Use of HF is significant, it’s the foremost community issue, and is not easily replaced. We will continue to engage with the company and involve OLEM in future discussions.
 2. <!--[if !supportLists]--><!--[endif]--> **BAY AREA EMISSIONS BANKING RULE:** we received an extension of the consent decree deadline from May to November, which may suffice to enable the Bay Area Air Quality Management District to make the needed permit rule revisions for full EPA approval.
 3. <!--[if !supportLists]--><!--[endif]--> **Thanks to Ken Wagner** for a very pleasant and informative visit last Tuesday. We covered many topics and set the agenda for his return. All our materials are on the ORO sharepoint site.
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PUBLIC EVENTS

Brownfields / City of Phoenix, AZ: (FYI) on April 19th and 20th we'll participate in two Brownfield events in Phoenix, to celebrate completion of 171,640 sq ft industrial warehouse space on a 10-acre brownfields property where the Phoenix Police Department leases 43,200 sq ft . EPA provided \$350K in 2000, working with partners (AZ Dept. of Environmental Quality, the City of Phoenix, and private industry) to remove over 6,000 tons of waste from an abandoned metal salvage yard in this EJ community. The second event will celebrate the completion of the Quincea Working Group Food Hub, which will provide a significant influx of freshly harvested food products into the South Phoenix community, a USDA-designated Food Desert. Quincea will educate and train community members on nutrition and cooking via a demonstration farm, a food hub, and a farm stand where products will be sold and SNAP payment accepted. Agricultural vocational training, employment opportunities, and entrepreneurial mentorship will be provided to developmentally disabled adults and veterans. The City of Phoenix used \$24K of EPA Brownfields grant funding to complete this project.

Brownfields / City of National City, CA: (FYI) on April 18, we'll attend a community event to celebrate transforming a former brownfield site into homes for hundreds of families, while protecting a nearby wetland and creating a new park. The City used a \$400,000 USEPA brownfields grant to assist with the remediation, adding over \$21M in redevelopment funds and leveraging an additional \$60M in State and other funds to complete the project. The project marks one of the largest investments and most significant increases in residential use in the City. We'll give you ample notice of an event next year: groundbreaking for the new park.

Kind regards,
Alexis

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